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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/796,616

Filing Date

03/09/2004

First Named Inventor

John Allan Grinstead

Art Unit

3677

Examiner Name

Jack W. Lavinder

Attorney Docket Number

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

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After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):**Remarks**

Remarks

Amended claims 1 - 4

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Signature

Printed name

John Allan Grinstead

Date

X 1.17.06

Reg. No.

**CERTIFICATE OF TRANSMISSION/MAILING**

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## Response to a non-Final Office Action

Application SN 10/796,616

This communication is a response to a non-final Office Action having a mailing date of 01/06/2006 and setting forth a shortened statutory period for response of three months which would expire on 04/05/2006.

### REMARKS

Claims 1 - 4 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner states that "the claims state that the band has a U-shaped link. The drawings fail to disclose a U-shaped link". The examiner suggests changing "U-shaped" to "loop-shaped".

The applicant cannot agree with the examiner's holding at all. The drawings clearly show that the link 5 is of a U-shape. It is not an A-shape, it is not an E-shape or S-shape it is clearly a U-shape. The specification clearly calls this link 5 a U-shape link. It is pointed out to the examiner that it is well settled that the examiner can be his own lexicographer and the applicant prefers to call this link a U-shape which in fact it is. The examiner cannot hold the claims as vague and indefinite because of the use of this word "U-shape". It is also pointed out to the examiner that changing "U-shape" to "loop shape" is not supported by the specification. The use of the word "loop-shape" is a much broader definition than U-shape. A loop can be round, oval or even triangular. It is not the intention of the applicant to claim the link 5 that broadly.

In view of all of the above, the examiner is respectfully requested to reconsider the rejection under 35 U.S.C. 112 and allow the claims.